

UNITED STATES DISTRICT COURT
for the

District of New Mexico

United States of America

v.

GARY JOHN BEDONI

Defendant(s)

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Case No. *16-MJ-398*

FEB 04 2016

FILED

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

MATTHEW J. DYKMAN
CLERK

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 01/31/2016 in the county of San Juan in the
District of New Mexico, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
Title 18, USC 113(a)(6)	Assault resulting in serious bodily injury
Title 18, USC 1153	Crime on Indian Reservation

This criminal complaint is based on these facts:

Continued on the attached sheet.


Lance Roundy
Complainant's signature

Lance Roundy, Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: February 4, 2016


B. Paul Briones
Judge's signature

B. Paul Briones, US Magistrate Judge

Printed name and title

KN/AUSA

NEW MEXICO

ALBUQUERQUE, NEW MEXICO

State of New Mexico)
County of San Juan)

AFFIDAVIT

I, Lance Roundy being duly sworn, hereby, depose and state as follows:

1. I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI) and have been employed in that capacity since September 2008. I am currently assigned to the Albuquerque Division of the FBI, and have primary investigative responsibility in violent crimes occurring in Indian Country such as robbery, aggravated assaults, and homicide.
2. The information set forth in this affidavit has been derived from an investigation conducted by SA Lance Roundy, Farmington Resident Agency of the FBI and Criminal Investigator (CI) Jerrick Curley of the Navajo Department of Criminal Investigations.
3. On February 1, 2016, the Farmington Resident Agency of the FBI was notified by the San Juan Regional Medical Center (SJRMC) in Farmington, New Mexico of a female patient that was transported via ambulance to the emergency room facility earlier that morning. The female patient (referred to herein as "MB") had a broken neck and visible bruises on her chest and arms. MB told the medical staff at the SJRMC that her husband, Gary John Bedoni (referred to herein as "Bedoni") physically assaulted her the previous night resulting in a broken neck and several bruises. MB said that Bedoni violently pushed her down some steps at their residence causing her to fall and injure her neck.
4. Medical Staff at the SJRMC confirmed that MB had a fractured neck, spinal cord trauma, and was unable to move her arms and legs. MB also had visible bruising on her chest and arms. MB was subsequently transported via air-care to the University of New Mexico Hospital in Albuquerque, New

Mexico to undergo further treatment, to include surgery. Medical Staff at the SJRMC also informed the FBI that prior to being transported to Albuquerque, Bedoni had not contacted the SJRMC emergency room to inquire about MB's wellbeing or status.

5. On February 1, 2016, MB was interviewed by the affiant in the emergency room at the SJRMC. During the interview, MB said that she and Bedoni lived together in Fruitland, New Mexico near the Nenahnezad Boarding School on the Navajo Indian Reservation. MB said that her husband drank whiskey on a regular basis and became violent when intoxicated. MB said that she has called the cops on numerous occasions due to Bedoni's physical abuse towards her while he is intoxicated. MB said that on January 31, 2016, both she and her husband were drinking alcohol when her husband became intoxicated and began to physically assault her. MB said that she recalled being physically punched three times by her husband, and then recalled being pushed down in a violent manner. MB said that she felt extreme pain in her neck when she hit the ground and was unable to move her legs and arms after the fall. MB said that she attempted to call the police when Bedoni became physically abusive; however, Bedoni took the cell phone and would not allow her to make any calls. MB said that she was unable to get medical attention until the following morning when an ambulance arrived and transported her to the SJRMC.

6. On February 1, 2016, at approximately 8:15am, Paramedics with the SJRMC were dispatched to MB's residence near the Nenahnezad Boarding School. Upon arrival at MB's residence, paramedics located MB on the ground in her bedroom being attended to by a female identifying herself as a family member. MB told the Paramedics that she had spent the night lying on the floor in pain, vomiting blood, and that she was unable to move to get up off the floor. Responding Paramedics noted red stains consistent with blood on the floor, blanket, and pillow, and noted that the house did not appear to be in disarray. The Paramedics also noted that MB had bruising on her chest and arms. Paramedics said that they did not notice whether MB's husband was present, but said that the only two individuals inside of the residence upon arrival were MB and her female relative. Paramedics then transported MB to the SJRMC.

7. On February 1, 2016, Investigating Agents and Officers with the FBI, Navajo Department of Criminal Investigations, and the Navajo Police Department attempted to make contact with Bedoni at his

home near the Nenahnezad Boarding School. Upon arrival, Agents observed the front door of the residence open. The residence appeared to be vacant; however, Officers conducted a welfare check on the residence and confirmed no other occupants in the house. On February 3, 2016, the Investigating Agents executed a court authorized search warrant on the residence and confirmed the presence of a substance resembling blood. Agents also seized an empty bottle of whiskey from the garbage canister in the kitchen area.

8. Since 2008, Navajo Police Officers have arrested Bedoni approximately seven times for crimes including public intoxication, driving under the influence, and disorderly conduct. On or about October 21, 2015, MB contacted police dispatch personnel and requested that Officers respond to her residence because Bedoni was intoxicated and acting violently towards her. An Officer responded to the residence and MB subsequently told the Officer that Bedoni physically pushed her around the house and called her a "bitch." MB reported that Bedoni also tried to take her glasses and cellular telephone and would not allow her to use the phone. An eye witness reported seeing Bedoni physically push MB prior to the arrival of the responding Officer. Bedoni was not charged for pushing MB; however, Bedoni was arrested on an outstanding bench warrant.

9. On February 3, 2016, the Investigating Agents interviewed a female (referred to herein as "DG") who said that she observed Bedoni and MB physically fighting in times past. DG told the Agents that MB would stay with her at her residence on occasion when Bedoni and MB were fighting, and further said that MB had kept clothing items at DG's house on a regular basis.

10. The incident under investigation occurred within the exterior boundaries of the Navajo Indian Reservation and the county of San Juan and Bedoni and MB are Native Americans. Based upon the information received thus far, there is probable cause to believe that Gary Bedoni violated Title 18, United States Code, Section 113(a)(6), assault resulting in serious bodily injury, and Section 1153 crimes committed in Indian Country.

11. I swear that this information is true and correct to the best of my knowledge and belief.

Affiant
Special Agent
Federal Bureau of Investigation

Subscribed and sworn before me
on this 4th day of February, 2016.

B. Paul Scurra
United States Magistrate Judge

